

HONORABLE DAVID G ESTUDILLO

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

Larisa Popkova DSHS Employee #1, Paula
Brantner-Thomas DSHS Employee #2,
Katherine Rowlette DSHS Employee #3, Karen
Robbins DSHS Employee #4, Gary C. Bright
DSHS Employee #5, on behalf of themselves
and all other similarly situated persons,

Plaintiff,

v.

DEPARTMENT OF SOCIAL AND HEALTH
SERVICES, Don Clintsman and Jilma Meneses
DOES 1-50,

Defendants.

CASE NO. 3:23-cv-05130

STIPULATED MOTION AND ORDER TO
ADJUST CLASS CERTIFICATION
BRIEFING SCHEDULE

NOTE ON MOTION CALENDAR:
February 14, 2024

Pursuant to LCR 7(j), the parties jointly ask the Court to continue the class certification briefing schedule by 28 days (four weeks) to facilitate resolution of potential class issues.

On August 8, 2023, the Court entered a briefing schedule for class certification. Dkt. #14. In advance of the deadline to file a motion for class certification, the parties began productive discussions focused on resolving class certification issues and eliminating the need for class certification briefing. On January 11, 2024, the parties submitted a stipulated motion to adjust the class certification briefing schedule by five weeks to accommodate those productive discussions. Dkt. #16. The Court granted that stipulated motion. Dkt. #17. At present, the deadline to file any

STIPULATED MOTION AND ORDER TO ADJUST CLASS
CERTIFICATION BRIEFING SCHEDULE- 1

Case No. 3:23-cv-05130

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1 motion for class certification is February 16, 2024. *Id.*

2 The parties' discussions have progressed, but the parties have not reached a final agreement.
 3 The parties request an additional four week adjustment of the class certification briefing schedule
 4 to permit them to finalize their discussions. The parties anticipate that four weeks will be sufficient
 5 either to finalize an agreement, or conclude it is not possible. Discussions have already led to the
 6 resolution of one plaintiff's claims in their entirety (the parties expect to file a stipulation of
 7 dismissal for that plaintiff soon). The parties ask for this continued extension to additionally
 8 conserve the resources of the parties and the Court, and to facilitate the parties' good faith effort to
 9 find a mutually acceptable resolution. The Court has set no other deadlines in this matter, so no
 10 other case deadlines will be affected by this additional adjustment to the class briefing schedule.

11 DATED this 14th day of February, 2024.

12 Pacific Justice Institute

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19 *Attorney for Plaintiffs*

*Special Assistant Attorneys General
 Attorneys for Defendant DSHS*

ORDER

IT IS SO ORDERED. Plaintiffs' new deadline to file any motion for class certification is March 15, 2024. Defendant DSHS's response to any motion for class certification is due April 19, 2024. Any reply in support of a motion for class certification is due April 26, 2024.

DONE IN OPEN COURT this 15th day of February, 2024.



David G. Estudillo
United States District Judge

Presented by:

Pacific Justice Institute

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Attorneys for Defendants*

CERTIFICATE OF SERVICE

I hereby caused to be served a true and correct copy of the foregoing document by method indicated below and addressed to the following:

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Attorneys for Plaintiffs

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 14th day of February, 2024, at Alexandria, Virginia.

HILLIS CLARK MARTIN & PETERSON P.S.

s/ Erika M. Donis

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